

## **REMARKS**

### **A. Status of the Claims**

Claims 23-50 were pending in the case at the time of the Restriction Requirement, with claims 1-22 having been previously canceled without prejudice or disclaimer in a Preliminary Amendment filed on December 4, 2001. Thus, claims 23-50 are currently under consideration.

### **B. Response to Election/Restriction Requirement**

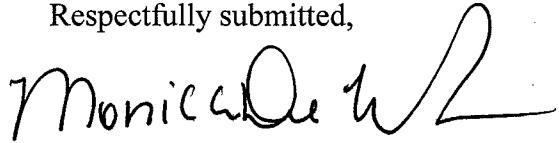
According to the Election/Restriction Requirement dated June 5, 2006, Applicants are required to elect a single nucleic acid sequence, ribozyme or target region from claims 2, 4, 8, 11, 15, 16, 19, 20, or 21. Applicants point out, however, that claims 1-22 have been previously canceled from the case in a Preliminary Amendment filed December 4, 2001. The Examiner appears to have overlooked the Preliminary Amendment.

Applicants' representative, Monica De La Paz, spoke with Supervisory Examiner Peter Paras by telephone on July 5, 2006. Examiner Paras instructed that Applicants submit a response to the Restriction Requirement pointing out that the Examiner has failed to consider Applicants' Preliminary Amendment. Examiner Paras also indicated that Applicants would not be required to make an election in view of the cancellation of claims 1-22.

Applicants take this opportunity to point out that the only sequences recited in claims 23-50 are RZ1 and RZ2, that a search of these two sequences would not present an undue search burden on the Examiner.

The Examiner is invited to contact the undersigned attorney at (512) 536-5639 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,



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